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10 Attorneys for Defendant
11 GENARO FRAGUA

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 vs.
17 GENARO FRAGUA
18 Defendant.

19 Case No. 1:23-cr-00120-JLT-SKO

20 **STIPULATION AND ORDER TO
21 CONTINUE STATUS CONFERENCE**

22 Date: March 20, 2024
23 Time: 1:00 p.m.
24 Judge: Hon. Sheila K. Oberto

25 IT IS HEREBY STIPULATED, by and between the parties through their respective
26 counsel, Assistant United States Attorney Stephanie M. Stokman, counsel for plaintiff, and
27 Assistant Federal Defender Griffin Estes, counsel for GENARO FRAGUA, that the Court may
28 continue the status conference in this case. The parties stipulate to continue the status conference
from March 20, 2024, to July 17, 2024.

The parties stipulate as follows:

- 29 1. By previous order, this matter was set for status on March 20, 2024.
- 30 2. By this stipulation, defendant now moves to continue the status conference until March
31 20, 2024, and to exclude time between March 20, 2024, and July 17, 2024, under 18 U.S.C. §
32 3161(h)(7)(A), B(iv) [Local Code T4].

1 3. The parties agree and stipulate, and request that the Court find the following:

2 a) The government has represented that the discovery associated with this case includes

3 reports, photographs, and audio files. All of this discovery has been either produced directly to

4 counsel and/or made available for inspection and copying, or is in the process of being produced.

5 The government has made an offer to resolve this case.

6 b) Counsel for defendant desires additional time to review discovery, conduct any

7 investigation, and discuss this matter, including potential resolutions, with the defendant in order

8 to prepare for trial. Moreover, counsel for the defendant requires additional time to discuss

9 resolution with his client.

10 c) Counsel for defendant believes that failure to grant the above-requested continuance

11 would deny him/her the reasonable time necessary for effective preparation, taking into account

12 the exercise of due diligence.

13 d) The government does not object to the continuance.

14 e) Based on the above-stated findings, the ends of justice served by continuing the case as

15 requested outweigh the interest of the public and the defendant in a trial within the

16 original date prescribed by the Speedy Trial Act.

17 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et

18 seq., within which trial must commence, the time period of March 20, 2024 to July 17,

19 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv)

21 [Local Code T4] because it results from a continuance granted by the Court at

22 defendants' request on the basis of the Court's finding that the ends of justice served by

23 taking such action outweigh the best interest of the public and the defendants in a speedy

24 trial.

25 g) The parties also agree that this continuance is necessary for several reasons, including

26 but not limited to, the need to permit time for the parties to exchange supplemental

27 discovery, engage in plea negotiations, and for the defense to continue its investigation

28 and preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

1 Respectfully submitted,

2 PHILLIP A. TALBERT
3 United States Attorney

4 Dated: March 8, 2024

5 /s/ Stephanie Stokman
6 STEPHANIE STOKMAN
7 Assistant United States Attorney
8 Attorney for Plaintiff

9 Dated: March 8, 2024

10 HEATHER E. WILLIAMS
11 Federal Defender

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14 **O R D E R**
15 IT IS SO ORDERED.
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17 DATED: 3/8/2024
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Sheila K. Oberto
Hon. Sheila K. Oberto
United States Magistrate Judge